

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 THOMAS S. LAZAR  
Supervising Deputy Attorney General  
3 MATTHEW M. DAVIS  
Deputy Attorney General  
4 State Bar No. 202766  
110 West "A" Street, Suite 1100  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-2093  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

8  
9 **BEFORE THE**  
**PHYSICAL THERAPY BOARD OF CALIFORNIA**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 1D-2008-66118

12 **ROOSEVELT WILLIAMS, P.T.**  
13 **780 Rivertree Drive**  
**Oceanside, CA 92054**  
14 **Physical Therapy Board No. AT 3642**

**A C C U S A T I O N**

15 Respondent.

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17 Complainant alleges:

18 **PARTIES**

19 1. Steven K. Hartzell (Complainant) brings this Accusation solely in his official capacity as  
20 the Executive Officer of the Physical Therapy Board of California, Department of Consumer  
21 Affairs.

22 2. On or about September 27, 1994, the Physical Therapy Board of California  
23 issued Physical Therapy Assistant License No. AT 3642 to ROOSEVELT WILLIAMS, P.T.A.  
24 (Respondent). The Physical Therapy Assistant License was in full force and effect at all times  
25 relevant to the charges brought herein and will expire on October 31, 2011, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Physical Therapy Board of  
28 California (Board), Department of Affairs, under the authority of the following laws. All section

1 references are to the Business and Professions Code (Code) unless otherwise indicated.

2 Section 2609 of the Code states:

3     öThe board shall issue, suspend, and revoke licenses and approvals to practice physical  
4 therapy as provided in this chapter.ö

5             5. Section 2660 of the Code states:

6     öThe board may, after the conduct of appropriate proceedings under the Administrative  
7 Procedure Act, suspend for not more than 12 months, or revoke, or impose probationary  
8 conditions upon any license, certificate, or approval issued under this chapter for  
9 unprofessional conduct that includes, but is not limited to, one or any combination of the  
10 following causes:

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12     ö(d) Conviction of a crime that substantially relates to the qualifications, functions, or  
13 duties of a physical therapist or physical therapist assistant. The record of conviction or a  
14 certified copy thereof shall be conclusive evidence of that conviction.

15     ö....

16     ö(h) Conviction of a violation of any of the provisions of this chapter or of the State  
17 Medical Practice Act, or violating, or attempting to violate, directly or indirectly, or  
18 assisting in or abetting the violating of, or conspiring to violate any provision or term of  
19 this chapter or of the State Medical Practice Act.

20     ö....ö

21             6. Section 2661 of the Code states:

22     öA plea or verdict of guilty or a conviction following a plea of nolo contendere made to a  
23 charge of a felony or of any offense which substantially relates to the qualifications,  
24 functions, or duties of a physical therapist is deemed to be a conviction within the  
25 meaning of this article. The board may order the license suspended or revoked, or may  
26 decline to issue a license, when the time for appeal has elapsed, or the judgment of  
27 conviction has been affirmed on appeal or when an order granting probation is made  
28 suspending the imposition of sentence, irrespective of a subsequent order under Section

1203.4 of the Penal Code allowing that person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.ö

7. California Code of Regulations, title 16, section 1399.20, states:

öFor the purposes of denial, suspension or revocation of a license, pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license under the Physical Therapy Practice Act if to a substantial degree it evidences present or potential unfitness of a person to perform the functions authorized by the license or approval in a manner consistent with the public health, safety or welfare. Such crimes or acts shall include but not be limited to the following:

ö(a) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision or term of the Physical Therapy Practice Act.

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### **COST RECOVERY**

8. Section 2661.5 of the Code states, in pertinent part:

öIn any order issued in resolution of a disciplinary proceeding before the board, the board may request the administrative law judge to direct any licensee found guilty of unprofessional conduct to pay to the board a sum not to exceed the actual and reasonable costs of the investigation and prosecution of the case.ö

### **FIRST CAUSE FOR DISCIPLINE**

#### **(Conviction of a Crime Substantially Related to the Practice of Physical Therapy)**

9. Respondent has subjected his Physical Therapy Assistant License No. AT 3642 to disciplinary action under section 2660, as defined by section 2660, subdivision (d), section 2661 and California Code of Regulations, title 16, section 1399.20, in that Respondent was convicted of a crime substantially related to the qualifications, functions, or duties of a physical therapist assistant. The circumstances are as follows:

1                   10.     On or about March 18, 2008, Respondent engaged in a verbal argument  
2 with his wife of two months. As the argument became more heated, Respondent punched his  
3 wife in the face several times and kicked her in the back while she was on the ground. The Long  
4 Beach Police Department (LBPD) responded to a domestic violence call and discovered  
5 respondent attempting to set his and his wife's house on fire. Respondent's wife had visible  
6 injuries including upper right eye and head contusions and redness on the left side of her face and  
7 mouth.

8                   11.     On or about March 18, 2008, Respondent was arrested for violations of  
9 Penal Code section 451, subdivision (d) [arson of the property of another], a felony; Penal Code  
10 section 273.5, subdivision (a) [infliction of corporal injury on a spouse], a felony; and Penal Code  
11 section 594, subdivision (a)(3) [vandalism].

12                  12.     On or about March 20, 2008, Respondent was charged in the  
13 case entitled *People of the State of California v. Roosevelt Williams*, Los Angeles County  
14 Superior Court Case No. NA077734 with violations of Penal Code section 273.5, subdivision (a)  
15 [infliction of corporal injury on a spouse], a felony, and Penal Code section 451, subdivision (d)  
16 [arson of the property of another], a felony.

17                  13.     On or about May 14, 2008, Respondent was additionally charged in the  
18 case entitled *People of the State of California v. Roosevelt Williams*, Los Angeles County  
19 Superior Court Case No. NA077734 with violations of Penal Code section 664/451, subdivision  
20 (b) [attempted arson of an inhabited structure], a felony, and Penal Code section 422 [criminal  
21 threats], a felony.

22                  14.     On or about July 15, 2008, Respondent pled nolo contendere to amended  
23 count five (5), a violation of Penal Code section 243, subdivision (e) [battery against a spouse],  
24 in the case entitled *People of the State of California v. Roosevelt Williams*, Los Angeles County  
25 Superior Court Case No. NA077734.

26                  15.     On or about July 15, 2008, the Court sentenced Respondent in Case No.  
27 NA077734 to three (3) years summary probation, one hundred seventy (170) days in County jail,  
28 a fifty-two (52) week domestic violence program, and a victim protective order.

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Violation of the Act)**

3 16. Respondent has further subjected his Physical Therapy Assistant License  
4 No. AT 3642 to disciplinary action under section 2660, as defined by section 2660, subdivisions  
5 (h), of the Code and California Code of Regulations Title 16, section 1399.20, subdivision (a), in  
6 that Respondent has violated, or attempted to violate, directly or indirectly, or assisted in or  
7 abetted the violation of any provision or term of the Physical Therapy Practice Act or of the State  
8 Medical Practice Act, as more particularly described in paragraphs 9 through 15, above, which  
9 are hereby incorporated by reference and realleged as if fully set forth herein.

10 **FACTORS IN AGGRAVATION**

11 17. On or about May 15, 2006, Respondent was charged in the case entitled  
12 *People of the State of California v. Roosevelt Williams*, Los Angeles County Superior Court Case  
13 No. NA077734 with a violation of Penal Code section 484, subdivision (a) [theft of personal  
14 property]. On or about January 22, 2007, respondent plead nolo contendere to a violation of Penal  
15 code section 490.1 [petty theft] as an infraction.

16 On or about January 7, 2010, Respondent was issued a citation for failure  
17 to notify the Board of a change in address within thirty (30) days. On or about February 22,  
18 2010, and March 24, 2010, Respondent was served with failure to pay letters. To date, no  
19 payment has been received.

20 **PRAYER**

21 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
22 alleged, and that following the hearing, the Physical Therapy Board of California issue a decision:

23 1. Revoking or suspending Physical Therapy Assistant License No. AT 3642,  
24 issued to Roosevelt Williams, P.T.A.;

25 2. Ordering Roosevelt Williams, P.T.A. to pay the Physical Therapy Board of  
26 California the reasonable costs of the investigation and enforcement of this case, pursuant to  
27 Business and Professions Code section 2661.5; and

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3. Taking such other and further action as deemed necessary and proper.

DATED: June 1, 2010

Original Signed By:

STEVEN K. HARTZELL  
Executive Officer  
Physical Therapy Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

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